

**Amendments to the Drawings:**

Figures 1 and 2 have been designated by the legend --Prior Art--.

### REMARKS

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-2 and 4-17 remain pending in the application. Claim 1 has been amended and claim 3 has been cancelled.

In the Office Action, the Examiner notes that Figures 1 and 2 should be designated by a legend such as --Prior Art--. Figures 1 and 2 have been designated as --Prior Art-- as suggested by the Examiner.

Claims 3-4 and 6 are objected to in that the phrase "one of the claims 1 or 2" on line 1 should be corrected as --claim 1 or 2-- or --either claim 1 or claim 2--. On November 28, 2003, a Preliminary Amendment was filed deleting the multiple dependencies of claims 3-4 and 6 (copy attached). Therefore, this objection should be withdrawn.

Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 1, 4, 6, 7, 9, 10, 13, 14, 16, and 17 are amended to overcome the §112, second paragraph rejection. With specific reference to claim 9, the Examiner's attention is directed to Figure 5 and page 6, line 34 through page 7, line 3 of the instant specification.

Claims 1, 4, 6-11 and 13-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Petersson et al. (US 5,140,284).

The present invention differs from Petersson et al. because the present invention uses fractional steps which are neither disclosed nor suggested in Petersson et al. In Petersson et al., the number N is a whole number and not a fractional step. The loop is a whole number step. To be a fractional number, N should vary with the phase detector. This is not the case. Petersson et al. is a whole number. The present invention discloses that a fractional step is obtained because the number N changes according to the rhythm of the frequency oscillator (frequency comparison loop). Therefore, this rejection should be withdrawn.

Claims 2-3, 5, 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petersson et al. in view of Dekker (US 6,239,660) and Figure 2 of the Applicants' admitted prior

art.

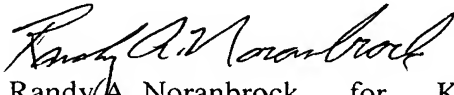
In Dekker, the filter differs from the present invention. The present invention discloses the function of the filter to transform the square wave form issued from the output divider in a sinus wave form. This filter is an option. Moreover, Dekker fails to teach the use of fractional steps. Therefore, this rejection should be withdrawn.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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# DEVICE AND METHOD FOR FREQUENCY SYNTHESIS WITH HIGH SPECTRAL PURITY

Application No. 10/722,593

Inventor: Pascal GABET

Annotated Sheet Showing Changes

